



Chawawa

AL9803227

The Honorable Phil Gramm
United States Senator
2323 Bryan Suite 1500
Dallas, TX 75201

JAN 20 1999

Dear Senator Gramm:

Thank you for your December 7, 1998, inquiry into the status of a site-specific treatability variance for GNB Technologies, Inc. (GNB) on behalf of your constituent, Larry G. Eagan of Frisco, Texas, who represents GNB. Mr. Eagan wrote to you concerning a site specific variance GNB has submitted to EPA that would allow GNB to continue to manage its lead slag entirely onsite. This lead slag, generated from the lead recovery process, is often a hazardous waste.

Dated October 27, 1998, the GNB variance petition addresses the applicable Land Disposal Restrictions (LDR) requirements governing the disposal of hazardous waste on the land. The LDR regulations were written to implement a statutory requirement to reduce the toxicity and mobility of hazardous waste being land disposed. Under existing regulations, the Agency cannot grant a treatability variance until it is determined that the current treatment standards are unachievable or are inappropriate, and that alternate treatment standards will minimize short and long term threats to human health and the environment. We are currently evaluating the GNB variance petition to determine whether a variance should be granted.

At this point in our review process, we are continuing to evaluate the GNB petition on its technical merits. On December 8, we sent GNB a preliminary response indicating the additional information needed to conduct a full technical analysis. Our ability to finalize a determination on the GNB petition depends substantially on the timely submittal of complete information as outlined in our December 8 letter. In addition, representatives of GNB, including your constituent Mr. Eagan, met with my staff on December 10, to discuss the status of the petition and the additional information requested. We will continue to work with GNB to ensure that the technical information needed to fully evaluate the treatment variance petition is well understood.

We very much appreciate your interest in the GNB petition and more broadly in ensuring that human health and the environment are properly protected. The Agency remains confident that the petition review process will be expedited as a result of GNB's timely response to our December 8 information request.

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If members of your staff or your constituent need additional information, they may contact Katrin Kral, of our Headquarters Office of Solid Waste, at (703) 308-6120. For your information, enclosed are copies of responses to Texas State Representative Jerry Madden and City of Frisco Manager George Purefoy regarding the GNB petition for an LDR treatment variance. Please let me know if I may be of further assistance.

Sincerely yours,



Elizabeth A. Cotsworth, Acting Director
Office of Solid Waste

Enclosures